

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**ERIC THOMAS,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

No. 2:24-cv-08392 (WJM)

**MEMORANDUM AND  
ORDER**

**WILLIAM J. MARTINI, U.S.D.J.:**

*Pro se* Petitioner, Eric Thomas, an inmate confined at United States Penitentiary, Lee (USP Lee) in Lee County, Virginia, seeks to file a motion to vacate pursuant 28 U.S.C. § 2255. Local Civil Rule 81.2 provides:

Unless prepared by counsel, . . . motions under 28 U.S.C. § 2255 shall be in writing (legibly handwritten in ink or typewritten), signed by the petitioner or movant, on forms supplied by the CI24-erk.

L. Civ. R. 81.2(a). Petitioner did not use the habeas form supplied by the Clerk for section 2255 motions, *i.e.*, AO243 (modified): DNJ-Habeas-004 (Rev. 01-2014).

On August 13, 2024, this Court ordered the Clerk of the Court to administratively terminate this case and serve a blank section 2255 form upon Petitioner by regular U.S. mail. *See* ECF No. 2. The Court further ordered that, if Petitioner wishes to reopen this case, he shall so notify the Court, in a writing addressed to the Clerk, within sixty (60) days of entry of the August 13, 2024 Memorandum and Order. *Id.* The writing must include a complete, signed habeas petition on the appropriate form supplied by the Clerk. *Id.* The Court has not received a writing from Petitioner stating he wishes to reopen the case.

IT IS this 16th day of October 2024,

ORDERED that if Petitioner wishes to reopen this case, he shall so notify the Court, in a writing addressed to the Clerk, within sixty (60) days of the date of entry of this Memorandum and Order. Petitioner's writing shall include a complete, signed habeas petition on the appropriate form supplied by the Clerk; and it is further

ORDERED that upon receipt of a writing from Petitioner stating that he wishes to reopen this case, and a complete, signed petition, the Clerk will be directed to reopen this case; and it is finally

ORDERED that the Clerk shall serve the following upon Petitioner by regular U.S. mail: a copy of this Memorandum and Order; a copy of the August 13, 2024 Memorandum and Order; and a blank section 2255 form.



WILLIAM J. MARTINI, U.S.D.J.